

PTO/SB/21 (09-06)

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HW 3772

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/594,400

Filing Date September 26, 2006

First Named Inventor Böhm, Stephan

Art Unit 3772

Examiner Name Unknown

Attorney Docket Number ROT.709.US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | Copies of Cited References; and |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | Acknowledgment Postcard |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Kinetic Concepts, Inc.

Signature

Printed name Nadeem G. Bridi

Date April 24, 2007

Reg. No. 42,361

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name Cherie E. Ridout

Date April 24, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/594,400 Confirmation No.: 2154
Applicant : Böhm, Stephan
Filed : September 26, 2006
TC/A.U. : 3772
Examiner : Unknown
Docket No. : ROT.709.US
Customer No.: 30159

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

Dear Sir or Madam:

In compliance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant is submitting herewith a form PTO/SB/08A, and PTO/SB/08B (2 pages), along with cited references therein. This Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(b)(3).

No fees are believed to be due, but if applicant is mistaken, the Commissioner is authorized to charge any required fees to deposit account no. 500326.

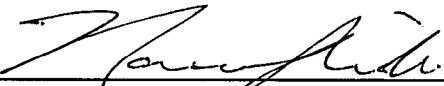
If no translation of pertinent portions of any foreign language patents or publications mentioned is included with the aforementioned copies of those

applications, patents and/or publications, it is because no existing translation is readily available to the applicant.

Under 37 CFR 1.98 (a)(2) (ii) no copies of any mentioned U.S. patents and U.S. patent application publications are submitted. However, if the Office requires copies, applicant will provide in a timely manner.

Applicant respectfully requests full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

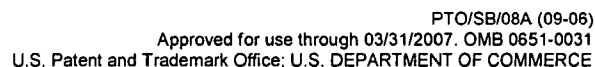
Respectfully submitted,



For Applicant

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Complete if Known

Application Number	10/594,400
Filing Date	September 26, 2006
First Named Inventor	Böhm, Stephan
Art Unit	3772
Examiner Name	Unknown
Attorney Docket Number	ROT.709.US

(Use as many sheets as necessary)

Sheet	1	of	2
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
/NP/		WO 00/33733	06/15/2000	Böhm, Stephan		
/NP/		WO 00/44427	08/03/2000	Leonhardt, Steffen		
/NP/		WO 01/93760	12/13/2001	Böhm, Stephan, et al		
/NP/		WO 2005/092415 A1	10/06/2005	Böhm, Stephan		

Examiner Signature	/Nihir Patel/	Date Considered	03/15/2011
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/594,400
Filing Date	September 26, 2006
First Named Inventor	Böhm, Stephan
Art Unit	3772
Examiner Name	Unknown
Attorney Docket Number	ROT.709.US

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/NP/	1.	BRYAN A. CHARLES, "Comments of a Devils Advocate"; AM J Respir Dis 1974; 1100: 143-144	
/NP/	2.	PAPE, H. C., et al.; "Is early kinetic positioning beneficial for pulmonary function in multiple trauma patients?"; Injury Vol. 29, No. 3, pp. 219-225, 1998	
/NP/	3.	LEONHARDT, ING. STEFFEN, et al; "Optimierung der Beatmung beim akuten Lungenversagen durch Identification physiologischer Kenngrößen, at 11/98, pp. 532-539, 1998	

Examiner Signature	/Nehir Patel/	Date Considered	03/15/2011
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